



Public Notice

US Army Corps
of Engineers

Sacramento District
1325 J Street
Sacramento, CA 95814-2922

Public Notice Number: 199750352

Date: April 2, 2001

Comments Due: April 21, 2001

In reply, please refer to the Public Notice Number

TO WHOM IT MAY CONCERN:

SUBJECT: Application for a Department of the Army permit under authority of Section 404 of the Clean Water Act to place fill in riparian wetlands for the construction of a residential housing development as shown in the attached drawings.

APPLICANT: Duane Shaw
Shady Glen L.C.
4055 S. 700 E. Suite 200
Salt Lake City, Utah 84107

LOCATION: This project is located at 3500 South and Parker Drive (Frontage road to I-15) adjacent to the Weber River in Riverdale City. The site lies within Section 6, Township 5 North, Range 1 West, Davis County, Utah.

PURPOSE: The purpose of the project is to build a residential housing development to provide moderate income housing in an expanding population area.

PROJECT DESCRIPTION: The applicant proposes to build 119 residential units on 43.2 acres adjacent to the Weber River. This project will impact 6.98 acres of riparian/floodplain wetlands associated with the Weber River. To mitigate for these impacts, the applicant proposes to set aside 13.86 acres of riparian habitat to be preserved, as depicted in the attached drawings.

AREA DESCRIPTION: The subject property is bordered by the Weber River to the east, a residential development to the south, irrigated pasture to the north and Parker Drive/I-15 to the west. Riverdale City owns property between the proposed mitigation area and the Weber River. Approximately 0.83 acres of jurisdictional wetlands exist on the property. These wetlands are part of the Weber River floodplain and are vegetated by Cottonwoods, Reed Canary Grass, Sandbar and Yellow Willow, and an unidentified Carex species. The proposed mitigation area consists mostly of Cottonwood and Willow.

ADDITIONAL INFORMATION: The latest published version of the National Register of Historic Places and its monthly supplements have been reviewed and there are no places either listed or recommended as eligible which would be affected.

This activity would not affect any threatened or endangered species or their critical habitat. The District Engineer has made this determination based on information provided by the applicant and on the Corps' preliminary investigation Certification for this project according to Section 401 of the Clean Water Act has been requested from the Utah Division of Water Quality. The Utah Division of Water Quality intends to issue certification, provided that the proposed work will not violate applicable water quality standards. Projects are usually certified where the project may create diffuse sources (non-point sources) of wastes which will occur only during the actual construction activity, and where best management practices will be employed to minimize pollution effects. Written comments on water quality certification should be submitted to Mr. William O. Moellmer, PH.D., Utah Division of Water Quality, 288 North 1460 West, Salt Lake City, Utah 84114, on or before April 14, 2001.

Interested parties are invited to submit written comments on or before **April 21, 2001**. Any person may request, in writing, within the comment period specified in this notice that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership, and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

If additional information is required, please contact Mr. Duane Shaw at (801) 621-0900 or Ms. Amy Defreese at (801) 295-8380 x13.

Michael J. Walsh
Colonel, Corps of Engineers
District Engineer

Enclosures: Drawing(s)